

IT IS SO ORDERED.



J. PHILIP CALABRESE,
UNITED STATES DISTRICT JUDGE
Date: February 4, 2025

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

MARC NEAL,)	CASE NO. 5:24-cv-413
)	
Plaintiff,)	JUDGE J. PHILLIP CALABRESE
)	
vs.)	
)	<u>PARTIES' STIPULATION OF</u>
SUMMIT COUNTY SHERIFF KANDY)	<u>DISMISSAL</u>
FATHEREE, et al.,)	
)	
Defendants.)	

Pursuant to Federal Civil Rule 41(a)(1)(A)(ii), the parties hereby enter into a stipulation of dismissal on the following terms:

- Plaintiff dismisses his claims against Defendant Summit County Sheriff Kandy Fatheree without prejudice.
- Plaintiff dismisses his First Claim for Relief asserted under federal law, as set forth in the Complaint (Doc. 1), against Defendants Summit County Psychological Associates, Inc. and Nicole Lich, LSW with prejudice.
- Plaintiff dismisses his Third and Fifth Claims for Relief asserted under Ohio law, as set forth in the Complaint (Doc. 1), against Defendants Summit County Psychological Associates, Inc. and Nicole Lich, LSW without prejudice to Plaintiff's right to refile said claims in state court pursuant to the savings statute, if applicable. Further, Plaintiff and Summit County Psychological Associates, Inc. stipulate that if Plaintiff refiles the state law claims asserted in the Third and Fifth Claims for Relief in state court, Nicole Lich, LSW will not need to be joined to the refiling pursuant to R.C. 2307.241(B)(1). Plaintiff and Summit County Psychological Associates, Inc. stipulate that no affirmative defenses are waived.
- Plaintiff dismisses his claims against Defendant Southern Health Partners, Inc. without prejudice. Plaintiff and Southern Health Partners, Inc. stipulate that Plaintiff may file a claim

against Southern Health Partners, Inc. in state court on his previously asserted state law claims.

Respectfully submitted,

/s/ Kevin C. Hulick

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of February 2025, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record and may be obtained through the Court's CM/ECF Systems.

/s/ Kevin C. Hulick

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